

DEK/RJK 1543-021

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PAULINE KOBLICK,)	
)	
Plaintiff,)	
)	
v.)	No. 1:08-cv-1624
)	District Judge Wayne R. Anderson
HOME DEPOT U.S.A., INC.,)	Magistrate Judge Michael T. Mason
)	
Defendant.)	

CASE STATUS REPORT

I. Plaintiff alleges in her one count complaint that as a result of the defendant's negligence, plaintiff was struck by a forklift and injured. Plaintiff alleges the defendant was negligent in the maintenance, operation, and inspection of its forklifts. Plaintiff also alleges defendant violated various OSHA Standards and other safety rules and procedures.

Defendant has answered, denying all material allegations against it. Additionally, defendant has alleged affirmative defenses including plaintiff's failure to act in a reasonably safe manner, failure to keep a proper look out, improperly positioned herself in an area where forklift operations occurred, and improperly trained her co-workers regarding inspecting/maintaining forklifts.

II. A copy of the Court's June 23, 2008 Referral Order is attached at **Exhibit A**.

III. Discovery Plan. To date neither party has answered written discovery, nor has oral discovery begun. The defendant proposes to the Court the following discovery plan:

A) Discovery will be needed on the following subjects:

1. Cause in fact
2. Medical treatment
3. Damages

B) Rule 26(a)(1) Disclosures shall be due by all parties by September 2, 2008.

C) Maximum of 30 interrogatories by each party to any other party.

D) Maximum of 30 requests for admissions by each party to any other party.

E) The parties agree that they will not produce deleted, back-up or legacy data as it is inaccessible.

F) Accessible documents which are responsive to each other's discovery requests, and not privileged, or otherwise exempt from discovery pursuant to the Federal Rules of Evidence, the Federal Rules of Civil Procedure or other applicable source of law, will be produced in TIFF format at the expense of the requesting party.

G) Prior to production of any documents, the parties agree to execute a "Non-Waiver and Confidentiality Agreement" which will govern inadvertent disclosure of information protected by the attorney-client privilege, the work-product doctrine, or other information which is confidential, private, personal, trade secret or proprietary in nature.

H) Maximum of 15 depositions by Plaintiff and 20 by Defendants.

I) Each deposition [other than of Plaintiff, Plaintiff's liability expert, and one representative of Plaintiff's choosing from Defendant, which are limited to 6 hours] shall be limited to a maximum of 3 hours unless extended by agreement of the parties.

J) Fact discovery cut-off is set for April 1, 2009.

K) Report from retained expert for the Plaintiff under Rule 26(a)(2) due April 1, 2009. Deposition of Plaintiff's expert shall be taken by June 1, 2009. Report from retained expert for Defendant under rule 26(a)(2) due August 3, 2009. Deposition of Defendant's expert shall be taken by October 1, 2009. Supplementations under Rule 26(e) will be scheduled by the court at the request of the parties.

L) All discovery shall be cut off by October 1, 2009.

M) Time for the parties to amend pleadings and add counts or parties is hereby established as August 15, 2008.

N) All dispositive motions will be due August 3, 2009 unless otherwise ordered by the court and the parties agree pleadings, motions and briefs may be exchanged by e-mail, fax or other electronic means.

IV. The parties have not engaged in any settlement discussions.

Respectfully Submitted,

By: /s/ Richard J. Keating, Jr.
One of the attorneys for the Defendant
Home Depot USA, Inc.

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From: usdc_ecf_ilnd@ilnd.uscourts.gov
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Case Name: Koblick v. Home Depot U.S.A., Inc.

Case Number: 1:08-cv-1624

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Docket Text:

Pursuant to Local Rule 72.1, this case is hereby referred to the calendar of Magistrate Judge Honorable Michael T. Mason for the purpose of holding proceedings related to: discovery supervision.(tsa,)Mailed notice.

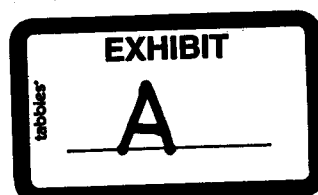
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CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2008, I electronically filed the forgoing with the Clerk of the United States District Court using the CM/ECF system which will send notification of such filing to the

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/s/ Richard J. Keating, Jr.
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